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Milton Springut, Esq. (MS6571)
Tal S. Benschar, Esq. (TSB0838)
KALOW & SPRINGUT LLP
488 Madison Avenue
New York, New York 10022
Tel: (212) 813-1600
Fax: (212) 813-9600

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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|--|---|---------------|
| VAN CLEEF & ARPELS LOGISTICS, S.A. and | : | |
| VAN CLEEF & ARPELS, INC, | : | Civil Action |
| | : | |
| Plaintiffs, | : | No. 08 - 7073 |
| | : | |
| v. | : | |
| | : | |
| JERI COHEN JEWELRY, INC.; | : | |
| and JOHN DOES 1-10, | : | |
| | : | |
| Defendants. | : | |

DECLARATION OF KRISTEN SCANLON

KRISTEN SCANLON declares that:

1. I am an investigator working for I.P. Investigators located in New York, New York.
2. On June 19, 2008, I was asked to investigate Jeri Cohen Fine Jewelry, located at 1036 Third Avenue, New York, New York.
3. I (along with another investigator) entered the store at approximately 12:10 p.m. As I was browsing the store counters, I noticed a number of jewelry items that appeared similar to the Van Cleef & Arpels Alhambra collection.

4. A few minutes later, I was approached by a saleswoman named "Jeri." I related that I was interested in purchasing a gift for a relative and indicated some of the items we had seen. Jeri then opened the case and handed me a bracelet with an Alhambra design. She stated that the item "is a replica of a Van Cleef" but then added, "I'm not supposed to say that." She continued by telling me that her stock was very high quality replicas, and that is why the bracelet cost \$3,600. She further stated that if we would buy the equivalent item at Van Cleef it would cost \$14,000 and added that no one could tell the difference between her "replica" and the real thing.

5. Jeri then went into the back of the store, retrieved a black display tray, which she described as holding her "Van Cleef Collection" and which had many pieces resembling the Alhambra line. I then told Jeri I would have to think about the offer. She gave me a business card and also stated that if I did not see what I wanted, she could have it made.

6. I returned to the same store on July 3, 2008. I was initially greeted by a saleswoman who told me to return in a short while. When I returned later, I related to the saleswoman that I had been in the store the prior week and had seen a bracelet I was interested in. After I described the bracelet, she stated that it had been sold.

7. The saleswoman then invited me to the back room of the store, commenting, "we don't like to bring certain jewelry out front." The saleswoman then showed me various jewelry items (necklaces, bracelets and earrings) which she described as "Van Cleef."

8. She then showed me a pair of earrings which were priced at \$1,050. She eventually agreed to sell them to me for \$750 plus tax.

9. I then paid for and purchased the pair of earrings for that price. The pair of earrings are marked as Scanlon Declaration Exhibit A; a photo-image of the earrings is attached hereto.

10. Attached as Scanlon Declaration Exhibit B are copies of the sales invoice and sales from that purchase.

11. The earrings and sales invoice and receipt were forwarded by our offices to the attorney Milton Springut, at Kalow & Springut LLP, 488 Madison Avenue, New York, New York.

12. I declare under penalty of perjury that the foregoing is true and correct.

Dated: August , 2008
New York, New York

By: Kristen M. Scanlon
Kristen Scanlon

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SCANLON EXHIBIT A



Jeri Cohen Fine Jewelry

1036 Third Avenue
New York, NY 10021

Phone: 212.750.3172
Website: jericohenjewelry.com

Invoice

| Date | Invoice # |
|----------|-----------|
| 7/2/2008 | 3945 |

| Bill To |
|--|
| Kristen Scanlon 48 Bon Aire Circle Apt. CII Suffern, NY 10501 |

| Ship To |
|---------|
| |

| Terms | Ship | Via |
|-------|----------|-----|
| | 7/2/2008 | |

| Quantity | Item Code | Description | Price Each | Amount |
|------------------------|-----------|---|------------------|------------------|
| 1 | Custom | 18k yg mop clover earring (neiman) NYS Sales Tax | 750.00 8.375% | 750.00T 62.81 |
| ALL SALES FINAL | | | Total | \$812.81 |

Received By: _____

Payments/ Credits \$-812.81

Balance Due \$0.00

JERI COHEN FINE JEWELRY
1036 3RD AVE
NEW YORK, NY 10065
(212) 750-3172

C O P Y

07/03/2008 10:32

Sale:

Transaction # 5
Card Type: VISA
Acc: 4494*****1634
Entry: Swiped
Total: 812.81

Auth.Code: 075827
Respon. APPROVED 075827